

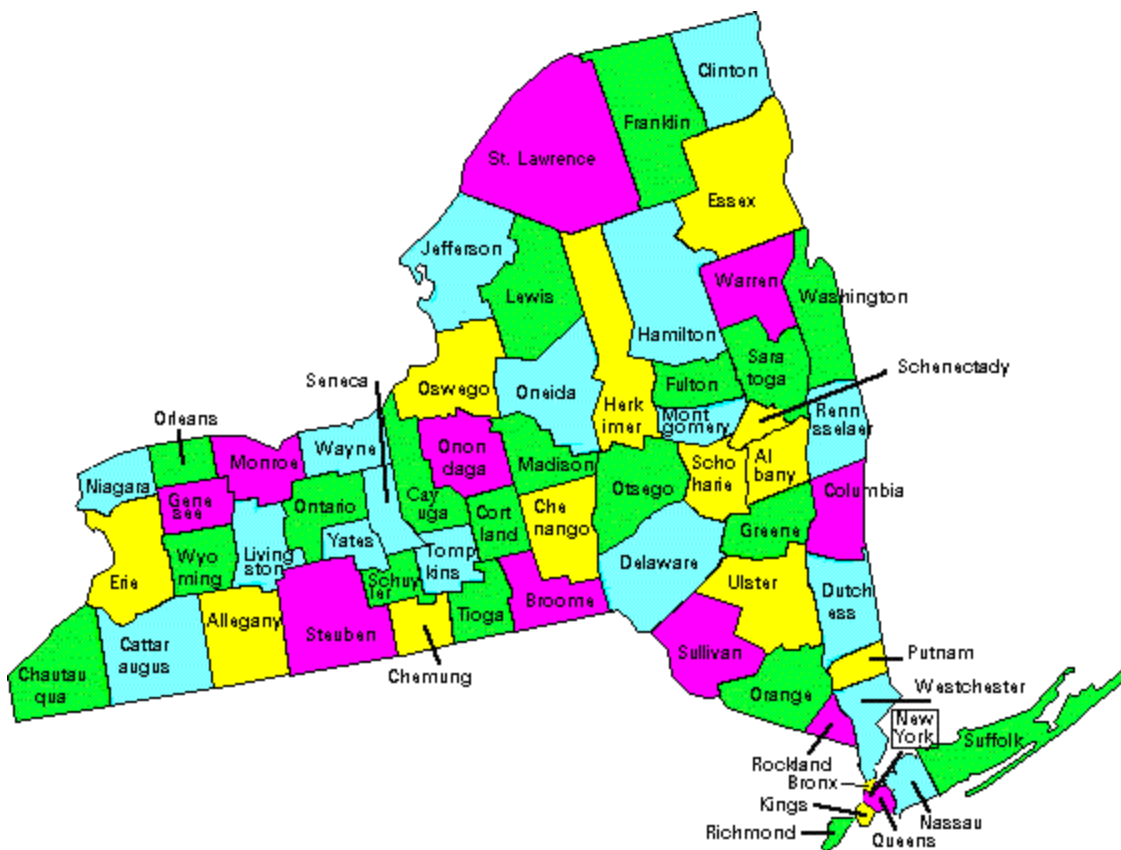
Office of National Drug Control Policy

Drug Policy Information Clearinghouse

City of Albany, New York

Profile of Drug Indicators

June 1999



ONDCP Drug Policy Information Clearinghouse staff compiled this profile by using the most recent data available from open sources. The data presented are as accurate as the sources from which they were drawn. The information contained in this profile should not be used to rank or compare States or jurisdictions, due to differences in data collection and reporting methods.

Albany, New York

The following profile contains information on demographics, political figures, funding, programs, crime, drug use, drug trafficking, and enforcement statistics.

Demographicsⁱ

Population: 292,586

Male: 138,702

Female: 153,892

White: 260,596

Black: 24,702

American Indian, Eskimo, or Aleut: 531

Asian or Pacific Islander: 4,974

Other race: 1,791

Politicsⁱⁱ

Mayor: Honorable Gerald. D. Jennings

Albany County Executive: Michael G. Breslin

County Clerk: Thomas G. Clingan

County Comptroller: Michael F. Conners, II

County Sheriff: James L. Campbell

Programs/Initiatives

Executive office of Weed and Seedⁱⁱⁱ:

Our Law Enforcement Task Forces directed by the Weed Committee have been active since January of 1997. They have been targeting drug dealing and violent offenses. The number of arrests for drug dealing within the target area has increased since that time and this has had a deterrent effect on the drug market to the extent that reductions in street level dealing have become visible to the community, especially in certain former "hot spots." The Weed Committee will continue to meet regularly and is expected to give a formal report on its activities.

Crime and Drug-Related Crime

Reported Crimes^{iv}

{PRIVATE}	1994	1995	1996	1997	1998
Population	293,843	290,756	291,536	290,760	**
Index Total	16,724	16,699	13,676	14,542	**
Rate per 100,000	5,691.5	5,743.3	4,691	5,001.4	**
Violent Total	1,771	1,606	1,408	1,450	**
Rate per 100,000	602.7	552.4	483	498.7	**

Murder	13	9	11	10	**
Rape	102	77	64	128	**
Robbery	646	643	557	503	**
Agg. Assault	1,010	877	776	809	**
Property Total	14,953	15,093	12,268	13,092	**
Rate per 100,000	5,088.8	5,191	4,208.1	4,502.7	**
Burglary	3,401	3,178	2,911	2,789	**
Larceny	10,744	11,030	8,645	9,674	**
M.V. Theft	808	885	712	629	**

** Data are not available for the year 1998

Adult Arrests^v

{PRIVATE}	1994	1995	1996	1997	*1998
Total Arrests	10,007	10,419	9,892	10,428	10,030
Total Felony	2,988	3,009	2,830	3,148	2,920
Violent	874	862	768	829	669
Drug	736	753	639	756	746
Other	1,378	1,394	1,423	1,563	1,505
Total Misdemeanor	7,019	7,410	7,062	7,280	7,110
Drug	879	1,029	829	924	968
DWI	1,173	1,097	1,074	1,166	1,156
Other	4,967	5,284	5,159	5,190	4,986

Felony Prosecutions^{vi}

{PRIVATE}	1994	1995	1996	1997	*1998
% Prosecuted in the Upper Courts	22.5%	19.6%	20.2%	25.6%	23.7%
Total Indictments/SCIs	561	652	630	682	595
Violent	132	172	225	174	112
Drug	204	223	176	255	204
Other	225	257	229	253	279

Convictions and Sentences^{vii}

Conviction	1994	1995	1996	1997	1998
------------	------	------	------	------	------

Total Convictions	6,486	6,705	5,876	5,899	5,260
Rate % of Disposed	77.3 %	78.6 %	77.8 %	79.6 %	75.7 %
Felony	482	395	343	488	429
Misdemeanor	3,350	3,674	2,884	2,783	2,399
Lesser	2,654	2,625	2,642	2,627	2,457

Sentences	1994	1995	1996	1997	1998
Total Incarcerations	1,941	1,934	1,606	1,745	1,509
Rate % of Convictions	29.9 %	28.8 %	27.3 %	29.6 %	28.5 %
Prison	300	225	212	287	239
Jail	1,450	1,447	1,165	1,098	910
Jail and Probation	191	262	229	360	360
Probation	743	767	606	567	544
Fine	2,681	3,183	3,051	3,145	2,893
Other	1,121	821	613	442	344

Drugs

Sale/Manufacture^{viii}

	1996	1997
Total Drug Offenses	1,745	2,603
Sale/Manuf. Total	173	430
Opium Cocaine Deriv	43	151
Marijuana	39	133
Synthetic Narcotics	84	138
Other Dangerous Drugs	7	8

Use/Possession^{ix}

	1996	1997
Use/Possession Total	1,572	2,173
Opium Cocaine Deriv	187	784
Marijuana	1,269	1,298
Synthetic Narcotics	92	67
Other Dangerous Drugs	24	24

Juveniles

Albany Youth Bureau Performance Targets^x

- Reduce costs to County residents by 15% by diverting youth from the juvenile justice system and costly residential placement.
- Through a County PINS Diversion Program divert 50%-60% of all PINS youth from the juvenile justice system and placement outside the home.
- Provide short-term (six weeks) summer day camp experiences for approximately 1700 youth.
- Provide cultural enrichment, recreation, and leisure time and arts and crafts experiences for 3300 youth.
- Provide 75 youth from single parent families with companionship and mentoring through a Countywide Big Brothers/Big Sisters Program.
- Divert approximately 455 first time offenders aged 16-20 from incarceration through a Countywide Community Service Sentencing program. Achieve an 80% program completion rate.
- Divert approximately 186 youth aged 12-16 from the juvenile justice system and out-of-home placement through counseling education, information and referral services provided by schools and community facilities.
- Provide outreach services, including counseling, information, family assistance, mentoring, and translation, to approximately 175 non-English-speaking Hispanic families to facilitate their access to social, health and mental health services.
- Provide counseling services to 25 women aged 16-20 who are incarcerated at the County Correctional Facility. Counseling services will focus on long- and short-term goal setting relating to housing, employment, higher education and vocational training. At least 85% of the participants will avoid reincarceration.
- Remove obstacles to training and employment for approximately 180 young males incarcerated at the County Correctional Facility through an early intervention and 12-step educational and training module. Seventy percent of participants will not be reincarcerated for up to one year after release; 60% will voluntarily enter into drug rehabilitation programs; and 55% will participate in community service programs.
- Improve the overall social, health and mental health status of 125 families and 180 youth residing in the hill towns of the County through multiple service programs, information and referral services, and advocacy with youth and human services agencies.
- Provide services, including counseling, information, family and student assistance and parenting skills, to approximately 500 needy families.
- Provide 24-hour-a-day crisis intervention services for approximately 700 youth and their families.
- Provide short-term residential services to 130 runaway youth. Approximately 70% of these youth will be reunited with their families or guardians within 45 days.
- Provide transitional residential independent living programming for approximately 25 youth aged 16-20. Through education and support services, 60% of these youth will become self-sufficient.

Youth Initiatives in Albany^{xi}

- Implement a Five-Year Comprehensive Technology Plan that will enhance the Bureau's ability to provide needed and necessary youth services in a timely manner and at a reduced cost to County taxpayers.
- Research and develop prevention and youth development initiatives that are comprehensive in scope and supported at all levels of County government. The Youth Bureau and the County Departments of Social Services, Health, Mental Health and Probation and Family Court have been charged by the County Executive to review the County's existing children's services delivery system. This includes studying alternative children's services models and recommending to the County Executive, as appropriate, models for the future.
- Change the role of the Bureau from a provider of grant moneys to that of an investor seeking verifiable and measurable results. To properly evaluate agencies' success in providing youth services, the Bureau requires those requesting funding to submit "outcome programming funding proposals."

Type of Programming^{xii}

- Recreation: After school leisure time activities and summer day/overnight camping
- Youth Development: Big Brothers/Big Sisters; cultural enrichment; youth and family counseling, information and referral; runaway and homeless youth services; and after school drop-ins
- Delinquency Prevention: Programming that diverts youth aged 10-17 from the juvenile justice system; community service programs that divert youth aged 16-20 from the criminal justice system; PINS diversion programming; and counseling and education for youth incarcerated at the Albany County Correctional Facility

Attachments

1. U. S. Sentencing Commission (USSC)^{xiii}

ⁱ U.S. Census Bureau Web site: <http://www.census.gov>

ⁱⁱ New York State web site: <http://www.state.ny.us/>

ⁱⁱⁱ Weed and Seed: <http://www.weedseed.org/site.asp>

^{iv} <http://criminaljustice.state.ny.us/cgi/internet/areastat/areastat.cgi>

^v Ibid.

^{vi} Ibid.

^{vii} Ibid.

^{viii} Ibid.

^{ix} Ibid.

^x <http://www.albanycounty.com/departments/>

^{xi} Ibid.

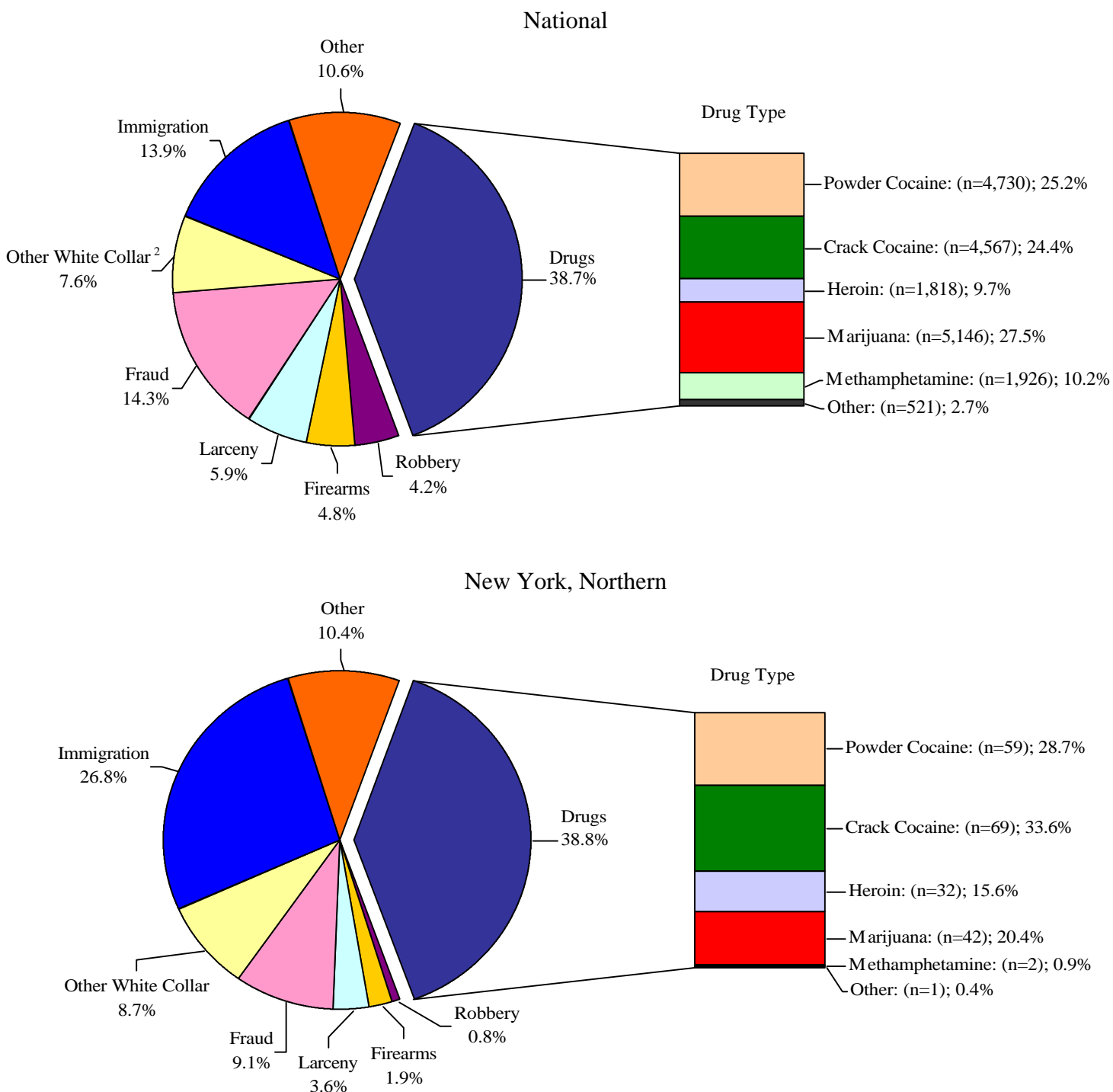
^{xii} Ibid.

^{xiii} U.S. Sentencing Commission: <http://www.ussc.gov/judpack/jp1997.htm>

ATTACHMENT #1

Figure A

**DISTRIBUTION OF SENTENCED GUIDELINE OFFENDERS BY SELECT
PRIMARY OFFENSE CATEGORY¹
FISCAL YEAR 1997**



¹Of the 48,848 guideline cases, 75 cases with missing primary offense category were excluded. Of the 17,261 drug cases (including trafficking, use of a communication facility, and simple possession), nine cases with missing drug type were excluded from the bar chart.

²The Other White Collar category includes the following offense types: Embezzlement, Forgery/Counterfeiting, Bribery, Money Laundering and Tax.

Table 1

**DISTRIBUTION OF GUIDELINE DEFENDANTS SENTENCED
BY PRIMARY OFFENSE CATEGORY**

Fiscal Year 1997

PRIMARY OFFENSE	National		New York, Northern	
	Number	Percent	Number	Percent
TOTAL	48,681	100.0	538	100.0
Murder	104	0.2	1	0.2
Manslaughter	53	0.1	0	0.0
Kidnapping/Hostage Taking	76	0.2	0	0.0
Sexual Abuse	219	0.4	1	0.2
Assault	518	1.1	7	1.3
Robbery	2,017	4.1	4	0.7
Arson	105	0.2	4	0.7
Drugs - Trafficking	18,060	37.1	204	37.9
Drugs - Communication Facility	398	0.8	4	0.7
Drugs - Simple Possession	631	1.3	6	1.1
Firearms	2,322	4.8	10	1.9
Burglary/B&E	61	0.1	0	0.0
Auto Theft	146	0.3	1	0.2
Larceny	2,826	5.8	19	3.5
Fraud	6,929	14.2	48	8.9
Embezzlement	834	1.7	12	2.2
Forgery/Counterfeiting	666	1.4	2	0.4
Bribery	279	0.6	14	2.6
Tax	996	2.0	14	2.6
Money Laundering	895	1.8	4	0.7
Racketeering/Extortion	607	1.2	5	0.9
Gambling/Lottery	181	0.4	0	0.0
Civil Rights	161	0.3	1	0.2
Immigration	6,690	13.7	142	26.4
Pornography/Prostitution	289	0.6	7	1.3
Prison Offenses	302	0.6	1	0.2
Administration of Justice Offenses	883	1.8	4	0.7
Environmental/Wildlife	115	0.2	0	0.0
National Defense	22	0.0	0	0.0
Antitrust	11	0.0	0	0.0
Food & Drug	61	0.1	0	0.0
Other Miscellaneous Offenses	1,224	2.5	23	4.3

Of the 48,848 guideline cases, 167 cases were excluded due to missing information on primary offense category.

Of the 541 guideline cases from the District of New York, Northern, three cases were excluded due to missing information on primary offense category.

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 3

MODE OF CONVICTION BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997

PRIMARY OFFENSE	TOTAL	National				New York, Northern			
		PLEA		TRIAL		PLEA		TRIAL	
		n	%	n	%	n	%	n	%
TOTAL	48,532	45,207	93.1	3,325	6.9	510	95.5	24	4.5
Murder	102	68	66.7	34	33.3	1	100.0	0	0.0
Manslaughter	52	46	88.5	6	11.5	0	--	0	--
Kidnapping/Hostage Taking	76	64	84.2	12	15.8	0	--	0	--
Sexual Abuse	219	193	88.1	26	11.9	1	100.0	0	0.0
Assault	516	440	85.3	76	14.7	6	85.7	1	14.3
Robbery	2,014	1,825	90.6	189	9.4	4	100.0	0	0.0
Arson	103	81	78.6	22	21.4	2	100.0	0	0.0
Drugs - Trafficking	18,025	16,485	91.5	1,540	8.5	195	95.6	9	4.4
Drugs - Communication Facility	398	396	99.5	2	0.5	4	100.0	0	0.0
Drugs - Simple Possession	622	609	97.9	13	2.1	6	100.0	0	0.0
Firearms	2,313	2,081	90.0	232	10.0	8	80.0	2	20.0
Burglary/B&E	61	61	100.0	0	0.0	0	--	0	--
Auto Theft	146	142	97.3	4	2.7	1	100.0	0	0.0
Larceny	2,815	2,708	96.2	107	3.8	18	94.7	1	5.3
Fraud	6,912	6,502	94.1	410	5.9	44	91.7	4	8.3
Embezzlement	833	812	97.5	21	2.5	12	100.0	0	0.0
Forgery/Counterfeiting	665	631	94.9	34	5.1	2	100.0	0	0.0
Bribery	278	252	90.6	26	9.4	12	85.7	2	14.3
Tax	993	925	93.2	68	6.8	14	100.0	0	0.0
Money Laundering	890	759	85.3	131	14.7	4	100.0	0	0.0
Racketeering/Extortion	606	522	86.1	84	13.9	3	60.0	2	40.0
Gambling/Lottery	179	174	97.2	5	2.8	0	--	0	--
Civil Rights	160	130	81.3	30	18.8	1	100.0	0	0.0
Immigration	6,671	6,593	98.8	78	1.2	141	100.0	0	0.0
Pornography/Prostitution	289	269	93.1	20	6.9	6	85.7	1	14.3
Prison Offenses	302	284	94.0	18	6.0	0	0.0	1	100.0
Administration of Justice Offenses	881	825	93.6	56	6.4	3	75.0	1	25.0
Environmental/Wildlife	114	108	94.7	6	5.3	0	--	0	--
National Defense	22	19	86.4	3	13.6	0	--	0	--
Antitrust	11	9	81.8	2	18.2	0	--	0	--
Food & Drug	61	56	91.8	5	8.2	0	--	0	--
Other Miscellaneous Offenses	1,203	1,138	94.6	65	5.4	22	100.0	0	0.0

Of the 48,848 guideline cases, 316 cases were excluded due to one or both of the following reasons: missing primary offense category (167) or missing mode of conviction (158). Of the 541 guideline cases from the District of New York, Northern, seven cases were excluded due to one or both of the following reasons: missing primary offense category (3) or missing mode of conviction (5).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 4

TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997

National

PRIMARY OFFENSE	TOTAL	Prison		Prison/Community Split Sentence		Probation and Confinement		Probation Only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	48,226	36,388	75.5	2,143	4.4	3,403	7.1	6,292	13.0
Murder	101	98	97.0	2	2.0	1	1.0	0	0.0
Manslaughter	53	40	75.5	6	11.3	3	5.7	4	7.5
Kidnapping/Hostage Taking	76	74	97.4	2	2.6	0	0.0	0	0.0
Sexual Abuse	218	195	89.4	7	3.2	8	3.7	8	3.7
Assault	515	363	70.5	13	2.5	47	9.1	92	17.9
Robbery	2,008	1,933	96.3	52	2.6	13	0.6	10	0.5
Arson	104	92	88.5	2	1.9	5	4.8	5	4.8
Drugs - Trafficking	18,009	16,776	93.2	386	2.1	373	2.1	474	2.6
Drugs - Communication Facility	397	326	82.1	16	4.0	31	7.8	24	6.0
Drugs - Simple Possession	604	208	34.4	4	0.7	51	8.4	341	56.5
Firearms	2,311	2,034	88.0	89	3.9	83	3.6	105	4.5
Burglary/B&E	61	50	82.0	4	6.6	5	8.2	2	3.3
Auto Theft	146	81	55.5	11	7.5	29	19.9	25	17.1
Larceny	2,726	921	33.8	173	6.3	453	16.6	1,179	43.3
Fraud	6,872	3,572	52.0	725	10.6	1,082	15.7	1,493	21.7
Embezzlement	826	291	35.2	190	23.0	113	13.7	232	28.1
Forgery/Counterfeiting	663	362	54.6	50	7.5	122	18.4	129	19.5
Bribery	273	121	44.3	27	9.9	55	20.1	70	25.6
Tax	971	317	32.6	88	9.1	262	27.0	304	31.3
Money Laundering	890	673	75.6	44	4.9	87	9.8	86	9.7
Racketeering/Extortion	601	551	91.7	7	1.2	24	4.0	19	3.2
Gambling/Lottery	178	42	23.6	11	6.2	62	34.8	63	35.4
Civil Rights	159	83	52.2	6	3.8	26	16.4	44	27.7
Immigration	6,661	5,804	87.1	87	1.3	139	2.1	631	9.5
Pornography/Prostitution	287	203	70.7	16	5.6	48	16.7	20	7.0
Prison Offenses	302	264	87.4	12	4.0	10	3.3	16	5.3
Administration of Justice Offenses	873	510	58.4	67	7.7	113	12.9	183	21.0
Environmental/Wildlife	110	17	15.5	4	3.6	20	18.2	69	62.7
National Defense	22	15	68.2	1	4.5	2	9.1	4	18.2
Antitrust	9	2	22.2	1	11.1	3	33.3	3	33.3
Food & Drug	59	12	20.3	2	3.4	7	11.9	38	64.4
Other Miscellaneous Offenses	1,141	358	31.4	38	3.3	126	11.0	619	54.3

Of the 48,848 guideline cases, 622 cases were excluded due to one or both of the following reasons: missing sentencing information (195), missing primary offense category (167) or cases in which defendant received no imprisonment or probation (263).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 5

TYPE OF SENTENCE IMPOSED BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997

New York, Northern

PRIMARY OFFENSE	TOTAL	Prison		Prison/Community Split Sentence		Probation and Confinement		Probation Only	
		Number	Percent	Number	Percent	Number	Percent	Number	Percent
TOTAL	527	396	75.1	17	3.2	62	11.8	52	9.9
Murder	1	1	100.0	0	0.0	0	0.0	0	0.0
Manslaughter	0	0	--	0	--	0	--	0	--
Kidnapping/Hostage Taking	0	0	--	0	--	0	--	0	--
Sexual Abuse	1	1	100.0	0	0.0	0	0.0	0	0.0
Assault	7	5	71.4	0	0.0	0	0.0	2	28.6
Robbery	4	4	100.0	0	0.0	0	0.0	0	0.0
Arson	4	4	100.0	0	0.0	0	0.0	0	0.0
Drugs - Trafficking	204	161	78.9	2	1.0	30	14.7	11	5.4
Drugs - Communication Facility	4	2	50.0	1	25.0	1	25.0	0	0.0
Drugs - Simple Possession	4	1	25.0	0	0.0	1	25.0	2	50.0
Firearms	10	7	70.0	0	0.0	2	20.0	1	10.0
Burglary/B&E	0	0	--	0	--	0	--	0	--
Auto Theft	1	1	100.0	0	0.0	0	0.0	0	0.0
Larceny	19	5	26.3	3	15.8	5	26.3	6	31.6
Fraud	46	31	67.4	3	6.5	5	10.9	7	15.2
Embezzlement	12	3	25.0	2	16.7	3	25.0	4	33.3
Forgery/Counterfeiting	2	1	50.0	0	0.0	0	0.0	1	50.0
Bribery	13	2	15.4	1	7.7	7	53.8	3	23.1
Tax	10	1	10.0	2	20.0	5	50.0	2	20.0
Money Laundering	4	1	25.0	1	25.0	1	25.0	1	25.0
Racketeering/Extortion	5	3	60.0	2	40.0	0	0.0	0	0.0
Gambling/Lottery	0	0	--	0	--	0	--	0	--
Civil Rights	1	1	100.0	0	0.0	0	0.0	0	0.0
Immigration	142	142	100.0	0	0.0	0	0.0	0	0.0
Pornography/Prostitution	7	6	85.7	0	0.0	1	14.3	0	0.0
Prison Offenses	1	1	100.0	0	0.0	0	0.0	0	0.0
Administration of Justice Offenses	4	4	100.0	0	0.0	0	0.0	0	0.0
Environmental/Wildlife	0	0	--	0	--	0	--	0	--
National Defense	0	0	--	0	--	0	--	0	--
Antitrust	0	0	--	0	--	0	--	0	--
Food & Drug	0	0	--	0	--	0	--	0	--
Other Miscellaneous Offenses	21	8	38.1	0	0.0	1	4.8	12	57.1

Of the 541 guideline cases from the District of New York, Northern, 14 cases were excluded due to one of the following reasons: missing sentencing information (2), missing primary offense category (3) or cases in which the defendant received no imprisonment or probation (9).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 6

**INCARCERATION RATE OF DEFENDANTS ELIGIBLE FOR NON-PRISON SENTENCES
BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997**

PRIMARY OFFENSE	National				New York, Northern			
	Prison Sentence		Non-Prison Sentence		Prison Sentence		Non-Prison Sentence	
	n	%	n	%	n	%	n	%
TOTAL	3,917	38.1	6,351	61.9	126	65.3	67	34.7
Fraud	749	30.3	1,722	69.7	14	60.9	9	39.1
Larceny	373	21.3	1,380	78.7	2	18.2	9	81.8
Immigration	1,765	71.6	699	28.4	99	100.0	0	0.0
Embezzlement	208	44.1	264	55.9	0	0.0	7	100.0
Drugs - Trafficking	164	42.2	225	57.8	4	26.7	11	73.3
Drugs - Simple Possession	122	28.8	302	71.2	1	16.7	5	83.3
Firearms	34	31.8	73	68.2	1	50.0	1	50.0
Forgery/Counterfeiting	92	32.4	192	67.6	1	50.0	1	50.0
Other Miscellaneous Offenses	410	21.5	1,494	78.5	4	14.3	24	85.7

Of the 48,848 guideline cases, 38,580 cases were excluded due to one or more of the following reasons: defendant ineligible for non-prison alternatives (38,479), missing sentencing information (195) or missing primary offense category (167).

Of the 541 guideline cases from the District of New York, Northern, 348 cases were excluded due to one or more of the following reasons: defendant ineligible for non-prison alternatives (347), missing sentencing information (2) or missing primary offense category (3).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 7

AVERAGE LENGTH OF IMPRISONMENT BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997

PRIMARY OFFENSE	National			New York, Northern		
	Mean Months	Median Months	Number	Mean Months	Median Months	Number
TOTAL	59.0	30.0	38,229	37.5	15.0	386
Murder	237.2	184.0	100	36.0	--	1
Manslaughter	34.2	24.0	46	--	--	0
Kidnapping/Hostage Taking	185.8	130.0	75	--	--	0
Sexual Abuse	73.3	49.0	202	57.0	--	1
Assault	37.9	24.0	373	25.4	21.0	5
Robbery	112.5	78.0	1,984	73.3	65.5	4
Arson	103.4	49.5	94	99.0	69.0	4
Drugs - Trafficking	82.2	57.0	17,137	64.8	38.5	162
Drugs - Communication Facility	44.1	48.0	342	9.3	6.0	3
Drugs - Simple Possession	12.4	6.0	207	6.0	--	1
Firearms	74.9	46.0	2,122	31.7	30.0	7
Burglary/B&E	28.8	21.0	54	--	--	0
Auto Theft	21.9	18.0	91	21.0	--	1
Larceny	14.4	10.0	1,092	9.8	8.5	8
Fraud	18.9	13.0	4,270	26.0	7.5	32
Embezzlement	7.0	4.0	480	8.4	12.0	5
Forgery/Counterfeiting	15.9	12.0	412	0.0	--	1
Bribery	22.9	14.0	148	13.3	6.0	3
Tax	16.8	12.0	404	7.3	5.0	3
Money Laundering	41.1	33.0	715	11.5	--	2
Racketeering/Extortion	114.9	60.0	557	22.4	24.0	5
Gambling/Lottery	12.8	12.0	53	--	--	0
Civil Rights	36.6	19.0	88	9.0	--	1
Immigration	21.2	18.0	5,674	12.1	0.3	119
Pornography/Prostitution	33.7	18.0	219	22.0	21.5	6
Prison Offenses	20.9	14.0	275	18.0	--	1
Administration of Justice Offenses	20.4	15.0	572	11.3	8.0	3
Environmental/Wildlife	15.0	8.0	21	--	--	0
National Defense	57.0	25.5	16	--	--	0
Antitrust	11.7	12.0	3	--	--	0
Food & Drug	25.8	12.0	13	--	--	0
Other Miscellaneous Offenses	14.8	5.0	390	0.6	0.6	8

Of the 48,848 guideline cases, 10,017 cases with zero months prison ordered were excluded. In addition, 602 cases were excluded due to one or both of the following reasons: missing primary offense category (167) or missing or indeterminable sentencing information (498).

Of the 541 guideline cases from the District of New York, Northern, 155 cases were excluded due to one of the following reasons: zero prison months ordered (123), missing primary offense category (3) or missing or indeterminable sentencing information (29).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

Table 9

GUIDELINE DEPARTURE RATE BY PRIMARY OFFENSE CATEGORY
Fiscal Year 1997

National

PRIMARY OFFENSE	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
		n	%	n	%	n	%	n	%
TOTAL	45,874	31,099	67.8	8,820	19.2	5,568	12.1	387	0.8
Robbery	1,933	1,425	73.7	260	13.5	198	10.2	50	2.6
Drugs - Trafficking	17,622	9,875	56.0	5,533	31.4	2,175	12.3	39	0.2
Drugs - Simple Possession	530	500	94.3	16	3.0	12	2.3	2	0.4
Firearms	2,189	1,643	75.1	281	12.8	221	10.1	44	2.0
Larceny	2,618	2,296	87.7	174	6.6	128	4.9	20	0.8
Fraud	6,593	4,906	74.4	1,120	17.0	497	7.5	70	1.1
Embezzlement	790	665	84.2	27	3.4	97	12.3	1	0.1
Forgery/Counterfeiting	639	526	82.3	81	12.7	28	4.4	4	0.6
Immigration	6,251	4,518	72.3	198	3.2	1,475	23.6	60	1.0
Other Miscellaneous Offenses	6,709	4,745	70.7	1,130	16.8	737	11.0	97	1.4

New York, Northern

PRIMARY OFFENSE	TOTAL	SENTENCED WITHIN GUIDELINE RANGE		SUBSTANTIAL ASSISTANCE DEPARTURE		OTHER DOWNWARD DEPARTURE		UPWARD DEPARTURE	
		n	%	n	%	n	%	n	%
TOTAL	478	281	58.8	178	37.2	18	3.8	1	0.2
Robbery	4	3	75.0	1	25.0	0	0.0	0	0.0
Drugs - Trafficking	204	54	26.5	143	70.1	7	3.4	0	0.0
Drugs - Simple Possession	6	6	100.0	0	0.0	0	0.0	0	0.0
Firearms	10	6	60.0	2	20.0	2	20.0	0	0.0
Larceny	19	15	78.9	4	21.1	0	0.0	0	0.0
Fraud	42	34	81.0	5	11.9	3	7.1	0	0.0
Embezzlement	12	10	83.3	0	0.0	2	16.7	0	0.0
Forgery/Counterfeiting	2	2	100.0	0	0.0	0	0.0	0	0.0
Immigration	110	106	96.4	3	2.7	1	0.9	0	0.0
Other Miscellaneous Offenses	69	45	65.2	20	29.0	3	4.3	1	1.4

Of the 48,848 guideline cases, 2,974 cases were excluded due to one or both of the following reasons: missing or indeterminable departure information (2,831) or missing primary offense category (167).

Of the 541 guideline cases from the District of New York, Northern, 63 cases were excluded due to one of the following reasons: missing or indeterminable departure information (60) or missing primary offense category (3).

SOURCE: U.S. Sentencing Commission, 1997 Datafile, OPAFY97.

This State Profile was prepared by the ONDCP Drug Policy Information Clearinghouse. The Clearinghouse is funded by the White House Office of National Drug Control Policy and is a component of the [National Criminal Justice Reference Service](#) For further information concerning the contents of this profile or other drug policy issues contact:

The Drug Policy Information Clearinghouse
PO Box 6000
Rockville, MD 20849-6000
1-800-666-3332
<http://www.whitehousedrugpolicy.gov>
ondcp@ncjrs.org

